



# CLEVELAND HEIGHTS

## MINUTES OF THE CITY COUNCIL MEETING OF MONDAY MAY 15, 2006

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:20 p.m.

Edward Kelley, presiding

Council Members present: Caplan, Dietrich, Evans, Kelley, Montlack, Tumeo, Wilcox

Council Members absent: None

Staff present: Carter, Czaga, Downey, Gibbon, Malone, Mannarino, Niermann  
O'Neil, Ruane, Wagner, Wong

Topic of discussion included general information pertaining to the City Manager's weekly memo.

Council Member Wilcox moved to adjourn into Executive Session immediately. Second by Council Member Evans.

Edward Kelley, presiding

Council Members present: Caplan, Dietrich, Evans, Kelley, Montlack, Tumeo, Wilcox

Council Members absent: None

Staff present: Carter, Czaga, Downey, Gibbon, Malone, Mannarino, Niermann  
O'Neil, Ruane, Wagner, Wong

Topic of discussion included property acquisition.

Executive Session concluded at 6:34 p.m. and adjourned immediately into Committee of the Whole.

Council Member Caplan moved that Executive Session be called at 7:15 p.m. Second by Council member Tumeo.

Topic of discussion included litigation and concluded at 7:20 p.m. adjourning into Committee of the Whole, concluding at 7:26 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:40 p.m.

Edward Kelley, presiding

Council Members present: Caplan, Dietrich, Evans, Kelley, Montlack, Tumeo, Wilcox

Council Members absent: None

Staff present: Carter, Czaga, Downey, Gibbon, Malone, Mannarino, Niermann  
O'Neil, Ruane, Tomaro, Wagner, Wong

The minutes of the Public Hearing held Monday, May 1, 2006 were approved and signed by Council Member Wilcox.

The minutes of the Regular Council Meeting held Monday, May 1, 2006 were approved and signed by Mayor Kelley along with the ordinances and resolutions passed at that meeting.

#### **REPORT OF THE CITY MANAGER**

Mr. Downey stated, "Thank you very much, your Honor. I have several items this evening. The first of which is to request authority to advertise for bids for the purchase of a chipper for the Forestry Division and for the refurbishing of three refuse trucks."

Mayor Kelley made them a matter of record and referred them to the Municipal Services Committee of Council.

Council Member Caplan moved that the City Manager be given authority as requested.

Second by Council Member Tumeo.

Roll Call: Ayes: Caplan, Dietrich, Evans, Kelley, Montlack, Tumeo, Wilcox

Nays: None

**Motion passed**

Mr. Downey continued, "Thank you, your Honor. In your packets you received Bid Document No. 2006-12, that is for the 2006 Resurfacing Program. There were four bids, your Honor, the lowest and best bidder is the Schloss Paving Co., in the amount of \$1,052,267.50. Your Honor, I would request that the bid document and the bid tabulation be made a matter of record."

Mayor Kelley made it a matter of record.

## REPORT OF THE DIRECTOR OF FINANCE/CLERK OF COUNCIL

Mr. Malone stated, "Thank you, your Honor. I need to notify Council that pursuant to Section 753.04(a)(1) of the Codified Ordinances of the City of Cleveland Heights the Cleveland Heights Cable Television Commission has submitted the following resolution, Resolution No. 2006-1 requires that any cable operator providing service to the City at least ninety percent (90%) of the time, connect a telephone caller to a live service representative staff member within thirty seconds during specified times. Your Honor, I need to make this a matter of record."

Mayor Kelley made it a matter of record and referred it to the Planning and Development Committee of Council, calling on Council Member Wilcox.

## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Council Member Wilcox stated, "This is before the Council to either affirm, modify or overrule the Resolution. It is Resolution 2006-1 and I'm going to summarize the resolution that was presented by the Cable Commission. This involves Section 753.04(a)(1) of our ordinances, which provides that any cable operator providing service in the City, at least ninety percent (90%) of the time, connect a telephone caller to a live service representative staff member within thirty seconds during specified times. Adelphia is the cable operator that provides service in the City and there were formal public hearings previously in 2004 beginning in the March 9, 2004 meeting of our Cable Television Commission and held from month to month until October 19, 2004, where the Commission determined that Adelphia was out of compliance with this section since November, 2003.

The Commission's determination was found in Resolution 2004-1, which came before this Council in December of 2004 and in that Resolution the Cable Commission found them out of compliance and recommended a fine of One Hundred Dollars (\$100.00) per day for each month not in compliance not to exceed Five Hundred Dollars (\$500.00) a day. The Council then adopted that but, basically provided for the fine of Two Hundred Fifty Dollars (\$250.00) per day commencing November 1, 2004 that would increase to Five Hundred Dollars (\$500.00) per day beginning December 1, 2004.

As a result of that action by our Cable Commission, which was approved by Council, a fine of Five Hundred Dollars (\$500.00) per day was assessed against Adelphia beginning December 1, 2004. Then in December of 2005, Adelphia requested the Commission to suspend or hold in abeyance that fine for the October 2005, asserting that it had achieved a telephone call answering performance at the level of 90.9%. So the Commission noticed a meeting for April 6<sup>th</sup> and held a public hearing on April 6, 2006 to determine whether or not Adelphia was in compliance during October of 2005.

I won't go through all of the findings and the conclusions they reached other than to point out a few. One, that for nine days of the month of October 2005 Adelphia did not report any telephone answering statistics to the City. The second finding was that on five additional days of the month of October 2005, Adelphia made adjustments to the telephone answering statistics provided to the City due to conditions or events that Adelphia determined to be other than normal operating conditions. Further finding of the Commission was that using the numbers reported by Adelphia in the formula provided by Adelphia results in a service level of 89.77%, not as 90% as previously reported. Also, the

Commission found that the overall service level was 81.5% in November of 2005 and 81.3% in December of 2005. So, the Cable Commission found as follows: The evidence does not establish (and this [is] in Section 1 of this Resolution) that Adelphia achieved compliance with the telephone answering standards of Section 753.04(a)(1) of the Cleveland Heights Codified Ordinances during October 2005 and Adelphia therefore is found to have been in violation of said section for that month.

However, in Section 2, the Commission found extenuating circumstances identified by Adelphia and based on improved performance, recommended the obligation to pay the fine of October of 2005 be relieved.

I am presenting this Resolution to Council today and I'm going to ask that Council - or move to affirm the Resolution, except the provision in Section 2 to the extent it relieves Adelphia of the obligation to pay the fine for 2005, and to reaffirm the obligation and the fine for October of 2005, I'm sorry. I will make that motion at this time.

Mayor Kelley reiterated, "So you would affirm the Resolution, but overrule the recommendation that no fine be imposed for October 2005 in Section 2. So we need a second to that, is that correct?"

Council Member Wilcox answered, "Correct."

Second by Council Member Tumeo.

Mayor Kelley repeated, "Mr. Malone, will you please call the role to Resolution 2006-1, it's affirmed by Council Member Wilcox, but overruled - Section 2 pertaining to the alleviation of the fine for the month of October of 2005."

Roll Call: Ayes: Dietrich, Evans, Kelley, Montlack, Tumeo, Wilcox, Caplan

Nays: None

**Resolution confirmed**

Mayor Kelley stated, "Resolution No. 2006-1 is affirmed, as stated, with Section 2 overruled."

Council Member Wilcox stated, "Thank you. I have one piece of legislation and that is Ordinance No. 27-2006(PD). This is on second reading tonight. This is an Ordinance amending specified provisions of Chapter 1163, "Sign Regulations", of Part Eleven, "Zoning Code" of the Codified Ordinances of the City of Cleveland Heights to provide for projecting signs on individual buildings in the City of Cleveland Heights and to establish appropriate regulations for said signs, and to amend regulations regarding nonconforming signs.

This Ordinance, again, is on second reading. There was a public hearing held with respect to this ordinance on May 1<sup>st</sup> and on May 10<sup>th</sup> the Planning Commission considered this amendment to our zoning ordinance and unanimously recommended its adoption.

It provides that projecting signs which are currently only allowed if groups of six or more adjoining properties apply for the projecting signs and it's been determined that requirement has the effect of

precluding the use of projecting signs. Council has determined that the properly regulated and locating projecting signs can be a positive addition to our business districts. This Ordinance modified requirements to obtain the commitments of six or more businesses and the appropriation of a submission to the Planning Commission with ABR approval and the changes to permit a submission to an application to our staff for a single Projecting Sign to be reviewed subject to certain limitations and requirements as to size, materials, colors, locations, etc. The signs will also be subject to review and approval by our Architectural Board of Review.

Again, this is on second reading, so I offer Ordinance No. 27-2006(PD) for passage tonight."

Mayor Kelley accepted Ordinance No. 27-2006(PD), Second Reading.

Roll Call: Ayes: Evans, Kelley, Montlack, Tumeo, Wilcox, Caplan, Dietrich

Nays: None

**Ordinance passed**

Council Member Wilcox continued, "Other than to thank Richard Wong, our Planning and Development Director and his staff for their fine work on this ordinance, I have nothing further."

#### **REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE**

Council Member Evans stated, "Thank you, your Honor. The next three ordinances are going to be presented on first reading only. These three are being proposed because there have been some changes with the State Building Code. Ordinance No. 44-2006(PSH), amending Subsection (d) of Section 1161.11, "Improvement and Maintenance Standards", of Chapter 1161, "Off-Street Parking and Loading Requirements", of the Codified Ordinances of the City of Cleveland Heights to incorporate changes in the State Building Code. I would just like to present that on first reading tonight."

Mayor Kelley accepted Ordinance No. 44-2006(PSH), first reading only.

Council Member Evans continued, "Next is Ordinance No. 45-2006(PSH), amending and enacting a new Chapter 1301, *Residential Building Code of Ohio for One, Two and Three Family Dwellings*; requesting certification from the Ohio Board of Building Standards to enforce said Code; repealing existing Chapter 1301; and declaring an emergency. I'd like to present Ordinance No. 45-2006(PSH) first reading."

Mayor Kelley accepted Ordinance No. 45-2006(PSH), first reading only.

Council Member Evans continued, "Ordinance No. 46-2006(PSH), amending Section 1315.01, "Composition", of Chapter 1315, "Board of Building Code Appeals", of the Codified Ordinances of the City of Cleveland Heights to provide for the members of the Architectural Board of Review to serve as the Board of Building Code Appeals; and declaring an emergency. I'd also like to present this on first reading."

Mayor Kelley accepted Ordinance No. 46-2006(PSH), first reading only.

Council Member Evans continued, "The agenda reads that there will be Resolution No. 47-2006 (PSH), and we'd like to withdraw that from tonight's agenda."

Mayor Kelley accepted that Resolution No. 47-2006(PSH) be withdrawn from the agenda for the meeting.

Council Member Evans continued, "Just a couple of announcements. The first has to do with preparation for the warm weather. The county will begin placing Altosid XL which are the West Nile virus pellets into 2,400 catch basins throughout the city during the next few weeks. For a point of information, into 2005 there were 32 cases of West Nile in the county. Thirty were in Cleveland, one in East Cleveland and one in Garfield Heights. The county advises that this Altosid XL treatment appears to be very successful in treating the mosquito infestation.

Additionally, I just wanted to reassure our residents that the City of Cleveland Heights does have an emergency preparedness brochure in the making and it will appear in the Focus in the next few months and also we should have a separate brochure that will be distributed throughout the summer. That concludes this report."

#### **REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE**

Council Member Tumeo stated, "Thank you, Mayor Kelley. I have several pieces of legislation tonight. First I have three resolutions that are all pertaining to the same issue. The first is Resolution No. 48-2006(AS), affirming the policy of pick-up of contributions to the Ohio Police and Fire Pension Fund for the non-bargaining units employees of the Fire Department; and declaring an emergency.

What this ordinance is about and the following three, these are actions that we have always done. We pick up the 10% of the mandatory contribution that is required under state law for the Fire Chief, the Assistant Fire Chief and several other individuals within the Fire Department and Police Department. These contributions from the city towards their pension fund are not taxed until the time that they retire and start drawing out the money. However, the IRS and the Ohio Pension Fund have not agreed on the paperwork that's necessary all the time and for these to continue in this tax exempt status the Ohio Police and Fire Pension Fund have to have specific ordinances now from us specifying the contributions as such. So these three resolutions are to specifically fix those issues for the pension fund and for our employees.

The first is for the non-bargaining units of the Fire Department and I introduce Resolution No. 48-2006(AS) for passage tonight."

Mayor Kelley accepted Resolution No. 48-2006(AS).

Roll Call: Ayes: Kelley, Montlack, Tumeo, Wilcox, Caplan, Dietrich, Evans

Nays: None

**Resolution passed**

Council Member Tumeo continued, "Resolution No. 49-2006(AS), affirming the policy of pick-up of contributions to the Ohio Police and Fire Pension Fund for eligible participating Fire Department

employees who are bargaining unit members; and declaring an emergency. I introduce this Resolution for passage tonight.”

Mayor Kelley accepted Resolution No. 49-2006(AS).

Roll Call: Ayes: Montlack, Tumeo, Wilcox, Caplan, Dietrich, Evans, Kelley

Nays: None

**Resolution passed**

Council Member Tumeo continued, “Finally, I introduce Resolution No. 50-2006(AS), affirming the policy of pick-up of contributions to the Ohio Police and Fire Pension Fund for eligible participating Police Department employees who are bargaining unit members; and declaring an emergency. I introduce this for passage tonight.”

Mayor Kelley accepted Resolution No. 50-2006(AS).

Roll Call: Ayes: Tumeo, Wilcox, Caplan, Dietrich, Evans, Kelley, Montlack

Nays: None

**Resolution passed**

Council Member Tumeo continued, “Thank you. I have one more resolution tonight. I would like to introduce Resolution No. 51-2006(AS), declaring June, 2006 as LGBT Pride Month; and declaring an emergency. Cleveland Heights has historically been a community which values and seeks diversity in its residents. Thirty years ago, in 1976, this Council committed itself to a Resolution establishing a Nine-Point Plan to promote a well-maintained, full service residential community which is racially, religiously and ethnically diverse. In 1982, this policy of tolerance was extended in prohibiting discrimination in City employment based upon sexual orientation as well as race, religious, sex, disability and ethnic status. In 2001, our own Visioning Committee found that the overwhelming majority of Cleveland Heights residents consider diversity to be one of our main and most important strongest assets. In 2002, this Council extended employment benefits to domestic partners, and in 2003, Cleveland Heights initiated and passed an Ordinance to provide for the establishment of a domestic partner registry. So, with many communities and organizations across the United States who will be celebrating June, 2006 as Lesbian, Gay, Bisexual and Transgender Pride Month, this Council by this Resolution, will declare June, 2006 the LGBT Pride Month and recognizes the LGBT community for its many and varied contributions to this city. I would like to introduce this Resolution for passage tonight.”

Mayor Kelley accepted Resolution No. 51-2006(AS).

Roll Call: Ayes: Wilcox, Caplan, Dietrich, Evans, Kelley, Montlack, Tumeo

Nays: None

**Resolution passed**

Council Member Tumeo concluded, “I would like to personally thank Council for this support in this resolution. It’s very important to me and I am deeply honored by your support. Thank you very much.”

Mayor Kelley commented, "Very important to all of us."

## REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE

Council Member Dietrich stated, "Thank you, your Honor. I have no legislation, but I do have some thoughts and some announcements. If you're not here in this room and you're watching this, you're probably watching on Channel 23. I, today, watched Channel 22 for about an hour. That's the school district's channel. Since we meet on Monday nights, we are unable to attend school board meetings and as you know they're in the midst of deciding on an elementary school to close and so I thought since we can't go I should try to keep up with it and so the thing that I watched today was their April 24 work session, which was a discussion between the school board members, the superintendent and the administrator who is actually in charge of the school closing itself. What they were discussing was trying to narrow down the criteria for deciding which school would be closed. I think eighteen is the number of criteria that they had started with and they were feeling that the community dialogue, the input that they were getting from the community, was allowing them to eliminate some of those. Now, if you're really keeping up with this, you've heard this already, but I know just recently some of my neighbors who have no kids in school are just beginning to hear about the fact that an elementary school is going to be closed. I just thought I would report on what I saw on this tv show today because I think it doesn't hurt to get it out in as many ways as possible. I just was really aware of what a good conversation I thought that they were having with each other; the school board members and the superintendent. They were very collegial with each other and they were really, I thought, grappling with the issues and also with all the ramifications of all the details of the issues. I felt like they were really struggling together to come up with what criteria was emerging from the dialogue that the community was having. I felt that they really had listened to what people were saying and were really trying hard to put it all together to come up with a criteria. The decisions that I heard them make were that they were going to omit from consideration the criteria related to the future use of a school building if that school building were the one to close, the value of the property if it were to be sold, the condition of the playground, and whether the building was a traditional or open design. I imagine there are people out there already that know that. But, those were four things that they decided - the dialogue from the community was telling them that they shouldn't consider those things. They decided that the criteria that had to do with handicapped accessibility of a building and also safety of students going to and from school would not exactly be criteria that they would consider because those things were givens. Those were the handicapped accessibility and the safety of kids getting to and from school would be things that they would make sure would be equal, no matter which school would be closed, that they would just make sure that would happen for all the kids that were going to school.

I did hear some confusion or you might call it disagreement - mild disagreement among the members over whether keeping an elementary school in University Heights open was just a criteria that had high priority or whether in fact Gearity, the one school in University Heights was in fact off the table. I felt that they were struggling with that and in that conversation that decision didn't seem to be made yet.

Finally, the criteria that they talked about as being of high priority in their consideration are racial and socio-economic balance. The ability to fit three classes in each grade level plus all the extra rooms that would be needed into all schools and the cost of transporting students. It was really an

interesting discussion. I think anybody who is not going to their Monday night meetings where all this is happening could really get good information from watching Channel 22. They show this frequently throughout the day and it really did inspire confidence in me to see them discussing it. I felt like they were taking it very seriously and I was glad that I watched it. That's all on that topic.

I just want to say a couple things about our own parks and rec department, and Cain Park, and some of the things that are happening as summer comes upon us - maybe. These are just some dates and things coming up. The Chamber of Commerce is hosting the Business Expo on May 24<sup>th</sup> from 3:00 to 7:00 in the afternoon at the Community Center. Throughout the Recreation Department they are gearing up for the summer. Opening day for baseball and softball is May 20<sup>th</sup>. We have 52 baseball teams and 13 softball teams starting on May 20<sup>th</sup> and I think that's just impressive too. May 25<sup>th</sup>, which is a Thursday - we've been having Forest Hill nature walks, in case you don't know. They have been occurring monthly, being led by a naturalist, Wendy Weirich. So, if you want to go on the nature walk in Forest Hill Park on the 25<sup>th</sup> of May, meet at 7:00 a.m. at the Community Center entrance. Monday, the 29<sup>th</sup> of May, is our Memorial Day parade. It starts off at 10:00 from city hall and goes down Mayfield Road to the Veterans Memorial at Cumberland. If you are a scout group or a vet's organization, a school group, a street club, a civic organization and you want to be in the parade, you can call for an application. The number is 291-2323 and we hope everybody who is not in the parade will be lining the streets or meeting at Cumberland to cheer it on.

Cain Park is looking for volunteers to usher and take tickets at the events all summer. They are also looking for hosts who will provide room in their homes for summer staff, interns, and even actors. If you are willing to do that, you are invited to call 371-3000. Resident's Day at the Cain Park box office is May 27<sup>th</sup>. The box office actually opens at 9:00 in the morning, but people do seem to get there and start waiting in line a couple of hours earlier. So, if you want to get the very best tickets for some of the Cain Park events you might want to be there at 7:00 in the morning on May 27<sup>th</sup>. The ticket office opens to the public on June 3<sup>rd</sup>. The theatrical productions this summer are Hair and Kiss me Kate and then some of the big concerts are the Beach Boys, BB King, and the Four Tops. So, everybody, in your Focus, you should have or you will have a complete schedule. We hope that you'll take advantage of Cain Park this summer.

Finally, there are still a few spaces left in Cain Park arts camp for children. Most of our other camps are full, but you could still get into the arts camp. There is a lot to do in Cleveland Heights over the summer and we hope that you'll take advantage of it. That's all that I have. Thank you."

## **REPORT OF THE FINANCE COMMITTEE**

Vice Mayor Montlack stated, "Thank you, your Honor. There is no legislation from tonight. Among the months in our calendar April, for a lot of obvious reasons, is a bench mark month for looking at the city's finances and the City Manager reports on those with of course the research done by the Finance Department. As of the end of April, our revenues from both property taxes, municipal income tax, the collection revenue that is those who omitted to pay the right amount previously and even in state levied and shared taxes were all increased this year. Of course, the last two years were not banner years in that regard, but that's good news and so our bottom line on revenues is looking better. Most importantly, I think, the city continues to hold the line on expenses, so that comparing this year through

the end of April to last year, once again, the increase in expenses overall is about 1.8%. So, if you think of this in terms of your own individual and household earnings and expenses, I think you can see, especially given what we know about gasoline prices, and other increases that the city is truly continuing to tighten its belt and we are now in - at least in our third year in this mode. A great deal of that credit, of course, goes to the entire staff which has borne the burden in that regard. Where we are now at the end of April, which is, of course, our big collection month and will be followed by a number of months that will not be so easily in the black, but we are now in pretty good shape with a good carryover and it lets us not relax entirely, but certainly breath a little easier in these tough days. So, congratulations to the Finance Department. Congratulations to the staff and to our City Manager for what has turned out to be a good report. Thank you."

## **REPORT OF THE MUNICIPAL SERVICES COMMITTEE**

Council Member Caplan stated, "Thank you. I have actually five pieces of legislation that all are quite similar and then one that is quite different. The first of the five - I'm going to read the whole thing and then the others just the differing information. The first I have is Ordinance No. 52-2006(MS), authorizing an agreement with Norris Automall, Ltd. for the purchase of a new GMC 2500 cargo van for the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program, and authorizing the purchase of necessary accessories from other sources; providing compensation therefor; and declaring an emergency. The City has determined to purchase a new cargo van for the Public Works Department. Ohio Revised Code Section 125.04 authorizes municipal corporations and other governmental entities to purchase supplies, equipment and services through the Ohio Department of Administrative Services Cooperative Purchasing Program without obtaining competitive bids. By Resolution No. 115-1988, this Council authorized participation in this Cooperative Purchasing Program. The City Manager has determined that the selected vehicle may be purchased through this program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to purchase said vehicle by this means. Therefore, be it ordained by this Council that the City Manager be authorized to enter into an agreement with Norris Automall, Ltd. for the purchase of a cargo van for the Public Works Department through the Cooperative Purchasing Program, in accordance with the Ohio Revised Code. The agreement shall provide for the purchase of a new GMC 2500 cargo van at a total cost of Fifteen Thousand Five Hundred Eighty-one Dollars and Fifty-three Cents (\$15,581.53). The City Manager is further authorized to purchase necessary accessories from other vendors at a total cost not to exceed Two Thousand Four Hundred Dollars (\$2,400.00). The City reasonably expects that the cost of such expenditures will be paid with proceeds from the City's issuance of tax-exempt notes or bonds. The purchase agreement and all related documents shall be approved as to form by the Director of Law. Notice of passage shall be given and I offer Ordinance No. 52-2006(MS) for passage this evening."

Mayor Kelley accepted Ordinance No. 52-2006(MS).

Roll Call: Ayes: Caplan, Dietrich, Evans, Kelley, Montlack, Tumeo, Wilcox

Nays: None

**Ordinance passed**

Council Member Caplan continued, "Thank you. Now, I have Ordinance No. 53-2006(MS), authorizing an agreement with Norris Automall, Ltd. for the purchase of a new GMC Savana van for the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program, and authorizing the purchase of necessary accessories from other sources; providing compensation therefor; and declaring an emergency. The purchase of a new GMC Savana van shall be at a total cost of Seventeen Thousand One Hundred Eighty-nine Dollars and Fifty-two Cents (\$17,189.52), and the accessories shall not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00). I offer Ordinance No. 53-2006(MS) for passage tonight."

Mayor Kelley accepted Ordinance No. 53-2006(MS).

Roll Call: Ayes: Dietrich, Evans, Kelley, Montlack, Tumeo, Wilcox, Caplan

Nays: None

**Ordinance passed**

Council Member Caplan continued, "Thank you. Now, I have Ordinance No. 54-2006(MS), authorizing an agreement with 32 Ford for the purchase of a new Ford F250 pickup truck for the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program, and authorizing the purchase of necessary accessories from other sources; providing compensation therefor; and declaring an emergency.

They do it well [Ohio Department of Administrative Services Cooperative Purchasing Program] this year. We're buying a whole lot of trucks from them.

The purchase of this truck shall not exceed Twenty Thousand Seven Hundred Twenty-four Dollars and Fifty Cents (\$20,724.50), and the accessories shall not exceed Fourteen Thousand Dollars (\$14,000.00). I offer Ordinance No. 54-2006(MS) for passage this evening."

Mayor Kelley accepted Ordinance No. 54-2006(MS).

Roll Call: Ayes: Evans, Kelley, Montlack, Tumeo, Wilcox, Caplan, Dietrich

Nays: None

**Ordinance passed**

Council Member Caplan continued, "Thank you. Now, I have Ordinance No. 55-2006(MS), authorizing an agreement with Utility Truck Equipment, Inc. for the purchase of a new Chevrolet 4500 truck with a Versalift aerial package for the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program, and authorizing the purchase of a radio from another source; providing compensation therefor; and declaring an emergency. This truck shall not cost more than Seventy-one Thousand Six Hundred Twenty Dollars (\$71,620.00) with a trade-in, and the accessories (to purchase a radio from another vendor) shall not exceed One Thousand Dollars (\$1,000.00). I offer Ordinance No. 55-2006(MS) for passage tonight."

Mayor Kelley accepted Ordinance No. 55-2006(MS).

Roll Call: Ayes: Kelley, Montlack, Tumeo, Wilcox, Caplan, Dietrich, Evans

Nays: None

**Ordinance passed**

Council Member Caplan continued, "Thank you. And now for the last of our trucks, Ordinance No. 56-2006(MS), authorizing an agreement with Valley Ford Truck Sales, Inc. for the purchase of a new Ford F250 truck for the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program, and authorizing the purchase of a snow plow and other accessories from other sources; providing compensation therefor; and declaring an emergency. This agreement for this Ford F250 truck shall be at a total cost of Twenty Thousand Thirty Dollars (\$20,030.00), and the necessary accessories (snow plow, etc.) for not to exceed Nine Thousand Seven Hundred Dollars (\$9,700.00). I offer Ordinance No. 56-2006(MS) for passage tonight."

Mayor Kelley accepted Ordinance No. 56-2006(MS).

Roll Call: Ayes: Montlack, Tumeo, Wilcox, Caplan, Dietrich, Evans, Kelley

Nays: None

**Ordinance passed**

Council Member Caplan continued, "Thank you. I hope these trucks are all put to good use and I'm sure they will be.

Now, I have a resolution that's really quite different. This is Resolution No. 57-2006(MS), proclaiming May of 2006 as Mental Health and Recovery Month; and declaring an emergency.

I personally take great pride in the fact that we're passing this tonight, because I've been associated with the Cuyahoga County Community Health Board for quite a while and I have been the chair of the board for the past four years. Through paying attention and making public what's going on in our community, really does make a change in how people accept those who have mental illness. It encourages people with mental illness to get help and help can really change the course of their lives. We've been running a big campaign about suicide in the past six months and the caption is, "Suicide is Preventable, Its causes are Treatable". The more we talk about suicide, the more we talk about other mental illnesses, the more that people can be treated and recovery certainly is possible. Suicide is one of the leading causes of death. It's the eleventh leading cause of death in the United States. More people die from suicide than die from homicides, but we don't hear about that in the United States. Over one million people in the world committed suicide last year. So the more we talk about it, because it is preventable. If we can pay attention, the more people can be treated and then the more [they] can go on to survive and lead healthy normal lives. That's why I think it's important for us to be having months that are important when we talk about different issues.

The National Mental Health Month was first observed in 1949, and has helped to improve the health and lives of millions of Americans by letting people know that their caring for their minds, as well as their bodies, is good for overall health and a key to their success at home, at work and at school. The Cuyahoga County Community Mental Health Board has once again added "Recovery" to the title of the month to draw attention to the fact that people can achieve personal recovery from mental illness. During the month of May, millions of Americans will be honoring the challenges encountered by men-

tal illness, celebrating the many recoveries, and providing good information about mental health and recovery to dispel myths surrounding mental illness. Over 280,000 people in Cuyahoga County, approximately one out of every five people, need a helping hand with some type of mental illness. The Cuyahoga County Community Mental Health System, consisting of over 35 mental health provider agencies, provides community mental health services to nearly 8,000 children and over 14,000 adults. This Council wishes to join with the Cuyahoga County Community Mental Health Board and cities throughout this nation to recognize May as Mental Health and Recovery Month and to promote recognition and treatment of mental illnesses. I offer Resolution No. 57-2006(MS) for passage tonight.”

Mayor Kelley accepted Resolution No. 57-2006(MS).

Roll Call: Ayes: Tumeo, Wilcox, Caplan, Dietrich, Evans, Kelley Montlack

Nays: None

**Resolution passed**

Council Member Caplan concluded, “Thank you very much for that, and that’s all I have for this evening.”

### **REPORT OF THE MAYOR**

Mayor Kelley stated, “I just want to remind everyone about Safety Town sign-ups. It’s especially interesting to me since my youngest and last son, Patrick, will be signing up for it this year. We’ve provided this service for many years in Cleveland Heights. Sign-ups will be on Wednesday, May 24<sup>th</sup> from 6:00 to 8:00 here at City Hall. It’s a free program, open to all children who will be attending kindergarten this fall who live in Cleveland Heights or within the boundaries of the Cleveland Heights-University Heights school district. It is a great program. It is a week long, usually for two hours a day. If it’s still the same when my son, Sean, attended it three years ago, he was riding the school bus to the fire house, so it was an interesting week for the children. Again, sign-ups will be on Wednesday, May 24<sup>th</sup>, right here at City Hall from 6:00 to 8:00 and if you do have a child of the age entering kindergarten, I strongly suggest that you take this free and worthwhile program for your child.

This meeting will be adjourned at 8:24 p.m. The next meeting will be Monday, June 5, 2006, and hopefully talking about the Cavaliers at that next meeting into the NBA finals.”

Respectfully submitted,

Edward J. Kelley, Mayor  
President of Council

Thomas K. Malone  
Clerk of Council

/mwc